IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

Bail Appl..No. 2774 of 2007()

CMP.635/2007 of J.M.F.C.-I,ADIMALI
CRIME NO.47/2007 OF RAJAKKADU POLICE STATION

.....

: PETITIONER/ACCUSED

HARIKUMAR, S/O.CHELLAPPAN,
VAZHAKKALAYIL VEEDU, CHATHAMALA COLONY,
KANAKKARI VILLAGE, KOTTAYAM DISTRICT.

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
ASST.SUB INSPECTOR OF POLICE, RAJAKKADU POLICE STATION, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, (INVESTIGATING OFFICER IN CRIME NO.47/07 OF RAJAKKADU POLICE STATION).

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 2774/2007

Dated this 23rd day of May, 2007

O R D E R

The petitioner who is the accused in Crime No.47/2007 of Rajakkadu Police Station for offences punishable under Sections 307 and 354 IPC seeks his enlargement on bail. The petitioner was arrested on 13.3.2007.

2. Even though the learned Public Prosecutor opposed the application, he fairly conceded that the final report has not been filed even after 60 days of detention of the petitioner. If so, by virtue of the proviso to sec.167(2) Cr.P.C. the petitioner is entitled to be released on bail as of right.

3. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M-I, Adimaly and subject to the following conditions:

(a). The petitioner shall report before the C.I. Of Police, Adimaly,

between 9 am. and 11 am. on all Wednesdays.

(b). The petitioner shall not enter the local limits of Rajakkad police station until further orders.

(c). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). The petitioner shall not commit any offence while on bail.

4. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

The application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs